

Congress of the United States
Washington, DC 20515

June 9, 2023

The Honorable Jen Easterly
Director
Cybersecurity and Infrastructure Security
Agency (CISA)
U.S. Department of Homeland Security
245 Murray Lane SW
Washington, DC 20528

The Honorable Rochelle Walensky
Director
Centers for Disease Control and Prevention
(CDC)
395 E St. SW, ste 9100
Washington, DC 20024

Dear Director Easterly and Director Walensky:

Thank you for your work to support U.S. critical infrastructure during the COVID-19 Public Health Emergency. This unprecedented challenge required federal agencies to balance the need to protect Americans while allowing our critical infrastructure entities to continue to provide the essential services that Americans rely on every day. COVID-19 made clear that it is prudent to have plans and processes in place well in advance of unforeseen circumstances to maximize our emergency preparedness as a nation. I write to you today to highlight the continued need for America's recycled materials industry and its personnel to be deemed an essential part of the manufacturing supply chain in the event of future national emergencies.

Recycled materials such as plastic, metal, paper, rubber, and others contribute to critical U.S. manufacturing efforts and domestically produced items and infrastructure. These materials contribute to roughly 70 percent of all U.S. produced steel and 75 percent of U.S. paper mills rely on recovered fiber from recycling operations. In 2019, American steel mills utilized over 60 million metric tons of recycled material, which yielded 87 million metric tons of steel used in building construction, public transportation systems, and military equipment.¹

In the first iteration of the Essential Critical Infrastructure Workforce Guidance, CISA included mention of the recycled materials industry, and has since included it in all versions up to and including version 4.1.² Yet, the CDC excludes mention of the industry in its own list of categories of essential workers³. I understand your two agencies having different missions; therefore, I request a written response to the following:

1. Do CISA and CDC consider the recycling industry to be essential for the purposes of your guidance on essential workforce? How do you determine if an industry or sector is essential?

¹ <https://www.isri.org/recycled-commodities/ferrous>

² https://www.cisa.gov/sites/default/files/publications/essential_critical_infrastructure_workforce-guidance_v4.1_508.pdf

³ <https://www.cdc.gov/vaccines/covid-19/categories-essential-workers.html#print>

2. Do CISA and CDC plan to utilize similar guidance or designation criteria in the event of future national emergencies?
3. Is there any action by Congress that would help to alleviate any cross-agency confusion?

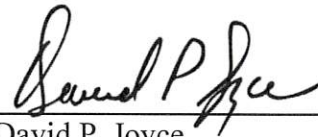
Recycling operations must have some clarity well in advance of another national emergency to maintain their critical services that enhance our domestic manufacturing and keep our supply chains running. To rectify this issue, I respectfully request that your agencies clarify the standard designation process and outline specific protocols for essential critical infrastructure sectors and their respective workforces.

Thank you for your prompt attention to this request. Please respond to Kevin O'Keefe on my staff at kevin.okeefe@mail.house.gov (202-225-5626) by July 10, 2023. We look forward to working with you on this issue going forward.

Sincerely,



Laurel M. Lee
Member of Congress



David P. Joyce
Member of Congress